

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF OREGON

In re  
**Van's Aircraft, Inc.**

Case No. 23-62260-dwh11

☐ Amended

Debtor(s)

**SUMMARY OF ACCEPTANCES  
AND REJECTIONS**

*Instructions to Filer:* The summary must reflect all classes designated in the plan, whether or not ballots were received in each class. If there are no votes in an impaired class, you must be prepared to discuss cramdown as to that class at the confirmation hearing.

<u>Class</u>	<u>Impaired or Unimpaired*</u>	<u>Total No. of Ballots Filed</u>	<u>% of Dollar Amount Accepting**</u>	<u>% of Number Accepting**</u>
Class 1 (Other Priority)	Unimpaired+	41	87.39%	87.8%
Class 2 (Van Grunsven Trust)	Impaired	1	100%	100%
Class 3 (Mark van Wyk)	Unimpaired++	No Rejecting Ballots	No Rejecting Ballots	No Rejecting Ballots
Class 4 (Property Tax)	Impaired	1	100%	100%
Class 5 (Gen'l Unsecured)	Impaired	94	93.36%	88.3%
Class 6 (Small Unsecured)	Impaired	13	100%	100%
Class 7	Omitted			
Class 8 (Interests)	Impaired	3	100%	100%

Class 8 is deemed to have not accepted the plan pursuant to 11 USC 1126(g).

\*If any class is designated as unimpaired, explain on an attached sheet why the class is unimpaired, or refer to the portion of the disclosure statement that provides that explanation.

\*\*Complete these percentages only if a class is impaired or there are any rejecting ballots in an unimpaired class. The latter is required so the judge can determine the vote outcome if the judge disagrees with your conclusion that the class is unimpaired. When compiling the amount figures, use the allowed amount of each creditor's claim rather than any amount shown on the ballot. If the class is unimpaired and there are no rejecting ballots, enter "No rejecting ballots" in the last three columns of the form.

+ See Section 6.1 of Debtor's Plan of Reorganization [ECF No. 113].

++ See Section 6.3 of Debtor's Plan of Reorganization [ECF No. 113].

This summary consists of 4 pages.

I certify under penalty of perjury that:

- this summary completely and accurately reflects all ballots received;
- the tabulations are correct to the best of my knowledge;
- all ballots received are separated and assembled by acceptances and rejections by class;
- I have retained the originals;
- I will provide copies upon written request;
- upon objection to the accuracy of this summary, I will introduce the originals at the hearing on the objection for possible admission to the official court record; and
- this summary was served on any creditors' committee and the U.S. Trustee on the date below.

05/10/2024

Date

/s/ Timothy J. Conway

851752

Signature

(OSB# if attorney)

Timothy J. Conway

Type or Print Signer's Name

## DETAIL OF RECEIVED BALLOTS

### CLASS 1 (PRIORITY CLAIMS):

Ballots Received: 41  
Ballots Accepting: 36  
Ballots Rejecting: 5  
Amount Accepting: \$111,702.24  
Amount Rejecting: \$16,118.75

### CLASS 2 (VAN GRUNSVEN TRUST):

Ballots Received: 1  
Ballots Accepting: 1  
Ballots Rejecting: 0  
Amount Accepting: \$6,263,320.83  
Amount Rejecting: \$0.00

### CLASS 3 (MARK VAN WYK):

Ballots Received: 1  
Ballots Accepting: 1  
Ballots Rejecting: 0  
Amount Accepting: \$4,802.00  
Amount Rejecting: \$0.00

### CLASS 4 (PROPERTY TAX LIEN CLAIMS):

Ballots Received: 1  
Ballots Accepting: 1  
Ballots Rejecting: 0  
Amount Accepting: \$109,367.85  
Amount Rejecting: \$0.00

### CLASS 5 (GENERAL UNSECURED CLAIMS):

Ballots Received: 94  
Ballots Accepting: 83  
Ballots Rejecting: 11  
Amount Accepting: \$3,292,097.27  
Amount Rejecting: \$234,202.14

### CLASS 6 (SMALL UNSECURED CLAIMS):

Ballots Received: 13  
Ballots Accepting: 13  
Ballots Rejecting: 0  
Amount Accepting: \$8,061.50  
Amount Rejecting: \$0.00

CLASS 7 is omitted.

### CLASS 8 (INTERESTS):

Ballots Received: 3  
Ballots Accepting: 3  
Ballots Rejecting: Class 8 is deemed to have not accepted the plan pursuant to 11 USC 1126(g).

NOTES:

[1] Any ballot received which currently holds an Allowed Priority Claim (as such terms are defined in Article I of the Plan) was classified as a Class 1 Priority Claim up to the statutory limit of \$3,350, with any remaining Allowed Unsecured Claim amount classified as a Class 5 General Unsecured Claim (if more than \$1,000) or a Class 6 Small Unsecured Claim (if \$1,000 or less), and therefore counted in both Class 1 and Class 5 for voting purposes.

[2] Several Creditors attempted to cast the priority portion of their claim as a Class 1 ballot, and to reduce the unsecured portion (of more than \$1,000) to a Class 6 Claim. Pursuant to Section 6.6 of the Plan, Creditors electing to reduce their Claims to a Class 6 Claim shall not be entitled to receive payment under any other Class of Claims. Debtor has reclassified these ballots as not eligible for Class 6 treatment so as to preserve the Creditors' Class 1 claims, and the unsecured portions have been counted for voting purposes as Class 5 Claims as described in the prior note.

[3] In addition to the ballots recorded on the previous pages, Debtor received four (4) rejecting ballots which did not correspond to an Allowed Claim and were thus not counted for voting purposes. Debtor also received seventy-eight (78) accepting ballots which did not correspond to an Allowed Claim and were thus not counted for voting purposes.